

MEETING #18 May 2

At a Joint Meeting of the Madison County Board of Supervisors on May 2, 2007 at 7:30 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman
James L. Arrington, Vice-Chairman
William L. Crigler, Member
Clark Powers, Member
V. R. Shackelford, III, County Attorney
Lisa R. Kelley, County Administrator

ABSENT: Bob Miller, Member

Chairman, Eddie Dean called the meeting to order and stated the following cases would be discussed tonight:

Case #SU-05-07-16, which is a request by the Madison County Board of Supervisors of Madison County, Virginia for an indefinite special use permit to allow a farmers market to be located on the A-1 zoned part of the property. This property is located on Route 687 (Fairground Road) near Madison and contains 181.882 acres of land, zoned A-1 and R-1.

Brad Jarvis of the Madison County Extension Office was present and provided an overview of the aforementioned request and advised several residents of Madison County expressed their desire to have a direct market to sell their fruits, vegetables and other farm products. He also indicated that applications will be distributed to interested parties once the County authorizes approval to operate the market.

Hank Holley was present and asked how much of the Hoover Ridge property would be utilized for the proposed Farmer's Market, to which Brad Jarvis indicated would involve approximately 5,000 square feet of the property.

Brad Jarvis stated the following conditions must be followed:

1. Farmer's Market to operate during daylight hours only;
2. Farmer's Market will operate no more than two (2) days per week;
3. No capital improvements will be built exclusively for the Farmer's Market;
4. Permit issued only for Madison County Board of Supervisors or successors.

James Ballard raised concerns as to whether a holiday weekend will have a significant impact on the authorized two (2) day operation schedule and also whether there might be other instances that will allow for additional days of operation.

Brad Jarvis stated there may be an occasion in which a special event may take place (i.e. Harvest Festival); however, he stated he did not feel the aforementioned operating condition would create a problem.

William L. Crigler asked if an individual had been selected as a “Market Manager” or if this would be a “floating situation.”

Brad Jarvis stated no decision had been made and this situation would not be a “floating” position – he advised a 4-H alumni student has asked to perform these duties (i.e. internship); however, these will not be the only duties the individual will perform.

William L. Crigler also asked whether the “Market Manager” would have the authority to mandate suspension of any participants who may violate the guidelines and denote the \$75.00 application fee will be non-refundable.

Brad Jarvis advised this would be included as requested.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the request for an indefinite special use permit is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Aye

Case Number #S-05-07-18, which is a request by Lotos Lakes, LLC for a plat of a subdivision of land to create three (3) lots with residue off Route 607. This property is identified as Tax Map 32-53 off Route 607 at Brightwood, zoned A-1. The road in the subdivision will be a state maintained road.

Bill Brase was present on behalf of Graystone Homes, Inc. and stated that Lotos Lakes, LLC is a partnership with the property owner and Graystones Homes, Inc. to develop sixty (60) acres which include the development of three (3) parcels of land into three (3) lots and residue for each lot that will total (12) lots.

Jacquelyn Eisenberg asked if the site was cleared, to which Bill Brase advised the property is mostly wooded at the present time.

Ray Goodall was present and verbalized concerns about the total of twelve (12) lots, to which Bill Brase fully explained the request.

After discussion, on motion of William L. Crigler, seconded by Clark Powers, the subdivision request is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Aye

Case Number #S-05-07-19, which is a request by Lotos Lakes, LLC for a plat of a subdivision of land to create three (3) lots with residue off Route 607. This property is identified as Tax Map 32-56 off Route 607 at Brightwood, zoned A-1. The road in the subdivision will be a state maintained road.

Bill Brase of Graystone Homes, Inc. was present and advised the request was identical to the aforementioned case regarding three (3) middle lots.

After discussion, on motion of Clark Powers, seconded by William L. Crigler, the subdivision request is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Aye

Case #S-05-07-20, which is a request by Lotos Lakes, LLC for a plat of a subdivision of land to create three (3) lots with residue off Route 607. This property is identified as Tax Map 32-56A off Route 607 at Brightwood, zoned A-1. The road in the subdivision will be a state maintained road.

Bill Brase of Graystone Homes, Inc. was present and advised this request will involve Lots 4 and 5.

After discussion, on motion of William L. Crigler, seconded by Clark Powers, the subdivision request is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Aye

Case #S-05-07-21, which is a request by Henry O. or Vera R. Brenneman for a plat of a subdivision of land to create four (4) lots, no residue off Route 684 near Radiant, zoned A-1. Lots 4 and 3 will be on a fifty-foot (50') right-of-way off Route 684 and Lots 2 and 1 will be on a separate fifty foot (50') right-of-way off Route 684.

Henry Brenneman was present and stated there were no further comments to be added to tonight's request.

James L. Arrington stated in the event the applicant plans to utilize a non-conventional system, should this documentation be noted.

Betty Grayson, Zoning Administrator, advised this information will be denoted on the recorded plats.

V. R. Shackelford, III, County Attorney asked the applicant if there is a roadway that goes on the Groves property.

Henry Brenneman stated there is a shed that encroaches the property along with a house that sits to the front of the property – this area will be utilized as the driveway to the house.

After discussion, on motion of Clark Powers, seconded by James L. Arrington, the site plan and soil and erosion plan is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Aye

Chairman, Eddie Dean advised the Madison County Board of Supervisors will need to go into closed to discuss concerns pertaining to the Courthouse Renovations.

V. R. Shackelford, III, County Attorney advised he also needed to provide an overview regarding the Rapidan Baptist Camp and Estes vs. Berry.

On motion of William L. Crigler, seconded by James L. Arrington the Board voted to go into Executive Session to discuss matters exempt from the open meeting requirements of the Freedom of Information Act – the subject and purpose falls within the following exemptions: Consultation with Legal Council, Virginia Code 2.2.3711 (A)(7) - Site Plan for the Courthouse, the Rapidan Baptist Camp, Litigation with Estes vs. Berry, and legal discussion pertaining to the Rezoning of the County Administration Building in the Town of Madison, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Aye

On motion of William L. Crigler, seconded by James L. Arrington, the Board voted to go back into open session with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Aye

On motion of William L. Crigler, seconded by James L. Arrington, the Board took roll call to certify that nothing was discussed which was not authorized by the Code of Virginia and that the following Resolution is adopted with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Aye

MOTION: William L. Crigler

RESOLUTION NO: 2007-6

SECOND: Bob Miller

MEETING DATE: May 2, 2007

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Madison County Board of Supervisors has convened an

executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by the Madison County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Madison County Board of Supervisors.

VOTE

AYES, Eddie Dean, James L. Arrington, William L. Crigler, Clark Powers

ABSTAIN: None

NAYS: None

(For each nay vote, the substance of the departure from the requirements of the act should be described)

ABSENT DURING VOTE: Bob Miller

ABSENT DURING MEETING: Bob Miller

Clerk/Secretary of the Madison County Board of Supervisors

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Aye

No action was taken as a result of Executive Session

Lisa Kelley, County Administrator, provided an overview of her conversation with Mr. Hostetter and stated he has been advised of the options and concerns regarding the appeals situation and the issues brought forth involving Wes Smith, Building Official.

William L. Crigler verbalized concerns about an appeal that was forwarded from Gwen Lacy regarding a case.

Chairman, Eddie Dean stated there were concerns the property was improperly rezoned, the site plan was flawed, and the entrance was not approved.

Lisa Kelley, County Administrator, also advised she was visited by Mr. and Mrs. Franklin Lacy who expressed stated displeasure with the approval of the case; they also felt the contractor was performing work on the property that was not within the construction easement portion of the property. After discussion, Lisa Kelley, County Administrator, indicated she informed Mr. and Mrs. Lacy this issue had to be taken up with the contractor and the Virginia Department of Transportation. She also advised the applicant could apply for rezoning of property; however, she was later informed that a special use permit would be needed.

In closing, she indicated that Betty Grayson, Zoning Administrator, advised that all procedures are now in accordance with established guidelines.

William L. Crigler asked if there were two (2) phases to the aforementioned construction project.

Chairman, Eddie Dean stated one building will be utilized on the property while another is being constructed.

V. R. Shackelford, III, County Attorney advised the time limit on a rezoning case is thirty (30) days.

Chairman, Eddie Dean stated there are things that will need to be accomplished pertaining to the rezoning request presented to the Town of Madison – he advised there will probably be a new member to the Town of Madison's Planning Commission very shortly.

James L. Arrington asked how progress was coming along at the Estes House.

Lisa Kelley, County Administrator, advised things are moving along relatively smoothly – the contract start date was April 5, 2007.

Chairman, Eddie Dean stated there are concerns about asbestos.

Lisa Kelley, County Administrator, advised these concerns are not a major issue.

Chairman, Eddie Dean suggested John Hunton, Capital Projects Coordinator, attend the next Regular Meeting.

Lisa Kelley, County Administrator, advised she will check with him to determine his availability.

Chairman, Eddie Dean stated the Public Hearing for the 2007-2008 Budget has been scheduled during the evening session of the Regular Meeting on Tuesday, May 8, 2007.

James L. Arrington asked if the Board will be discussing concerns pertaining to the Madison County Library.

Chairman, Eddie Dean advised these issues can be discussed either during or after next week's scheduled Public Hearing.

Chairman, Eddie Dean provided an overview on behalf of the Madison County School System regarding capital improvements and the RDA network system; however, a commitment has been made that office personnel will be ready to utilize the system by July 1, 2008, which is not satisfactory.

In closing, Chairman, Eddie Dean advised the Madison County Board of Supervisors has the authority to dictate what procedures will be followed.

William L. Crigler asked if there was a discussion regarding the set up of a joint motor pool.

Chairman, Eddie Dean stated this issue has not been discussed but will be at during the upcoming year.

Chairman, Eddie Dean advised the Madison County School System has been made aware that surrounding localities are already participating in a joint motor pool; however, additional data will be needed in order to establish who would be in charge (i.e. mechanic), etc.

In closing, Chairman, Eddie Dean stated he has some reservations about placing all the responsibility on the Madison County School System.

William L. Crigler suggested additional figures be attained in order to assess the feasibility of the concept.

James L. Arrington asked for a general figure being spent on general vehicular maintenance by the County.

Chairman, Eddie Dean stated these figures can be attained from each individual department – he feels this task will need to be completed – also stated an intern

may be employed to handle this task.

Lisa Kelley, County Administrator, stated she perceives that Dr. Brenda Tanner feels a joint motor pool will be operated solely by the Madison County School System; however, Madison County Board of Supervisors has the perception the joint motor pool will be operated by the County and would service the buses and County vehicles.

Chairman, Eddie Dean stated other localities have a joint motor pool that is operated by the City/County and also perform maintenance on all County vehicles to include school buses, emergency services vehicles, and fire departments; however, funding for the maintenance of all school vehicles is designated in the school budget. ; funding for maintenance on school vehicles is a part of the Madison County School System budget.

James L. Arrington stated it would be interesting to know the total costs associated with vehicle maintenance, office equipment/supplies, etc. for the Madison County School System and the County.

Chairman, Eddie Dean stated the Board could look into hiring an intern to research this information and other points of interested as directed by the County Administrator on behalf of the Madison County Board of Supervisors.

William L. Crigler verbalized concerns as to the cost associated with hiring an intern.

Lisa Kelley, County Administrator, advised that she knows of an architectural student who may be accessible to perform these duties during the summer months; she also advised the individual could assist John Hunton, Capital Projects Coordinator, as needed.

Chairman, Eddie Dean suggested the Board allow \$5,000.00 in part-time funding to enable the County Administrator to hire an intern, if needed.

After discussion, Lisa Kelley, County Administrator, advised she would determine how many hours an intern may be needed and what tasks may need to be accomplished.

With no further action to be taken by the Board, on motion of James L. Arrington, seconded by William L. Crigler, Chairman, Eddie Dean adjourned the

meeting, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Aye

Date: May 3, 2007